

REMARKS

This Amendment is being filed in response to the Decision on Appeal mailed on July 23, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In particular, it is respectfully submitted that U.S. Patent No. 6,639,362 (Scott) and U.S. Patent No. 5,625,256 (Tiedt), alone or in combination, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 3-4 where, amongst other patentable elements, claim 1 recites (illustrative emphasis provided):

wherein the second metal M is selected from erbium, holmium and thulium.

Accordingly, it is respectfully submitted that independent claims 1 and 3-4 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2 and 5-6 should also be allowed at least based on their dependence from independent claims 1 and 4.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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